



OFFICE OF THE CLERK/TREASURER

City of Burlington

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LOCAL CONTROL SUB-COMMITTEE

WEDNESDAY, JANUARY 26, 2011

CITY ASSESSOR'S OFFICE, PUBLIC RECORDS ROOM, CITY HALL

5:00 P.M.

PRESENT: Commissioner Vincent Dober; Commissioner David Berezniak and Lori Olberg
ABSENT: Attorney Nikki Fuller and Commissioner Emma Mulvaney-Stanak

1. AGENDA

Motion: A motion was made by Commissioner Berezniak, seconded by Commissioner Dober to approve the agenda.

Vote: All in favor.

2. CONSENT AGENDA

Motion was made by Commissioner Berezniak, seconded by Commissioner Dober, the Consent Agenda was adopted thus taking the following actions as indicated.

Vote: All in favor.

2.01. COMMUNICATION: Lori Olberg, Licensing, Voting and Records Coordinator, re:
Request for Catering Log

*waive the reading, accept the communication and place it on file

2.02. COMMUNICATION: Renee Warren, Administrative Secretary, Department of Liquor Control, Education, Licensing & Enforcement Division, re: Written warning re:
General Regulation #33, Rasputin's, January 9, 2011

*waive the reading, accept the communication and place it on file

2.03. COMMUNICATION: Renee Warren, Administrative Secretary, Department of Liquor Control, Education, Licensing & Enforcement Division, re: Violation of General Regulation #13, \$250 fine paid, JR's Corner Store, January 10, 2011

*waive the reading, accept the communication and place it on file

2.04. COMMUNICATION: Renee Warren, Administrative Secretary, Department of Liquor Control, Education, Licensing & Enforcement Division, re: Violation of General Regulation #13, \$250 fine paid, City Market, January 10, 2011

*waive the reading, accept the communication and place it on file

2.05. COMMUNICATION: Renee Warren, Administrative Secretary, Department of Liquor Control, Education, Licensing & Enforcement Division, re: Violation of General

Persons with disabilities who require assistance or special arrangements to participate in programs and activities of the Clerk Treasurers Office are encouraged to contact us at 865-7000 (voice) or 865-7142 (TTY) at least 72 hours in advance so that proper arrangements can be made.

#13, \$250 fine paid, Rite Aid #4272, January 3, 2011

*waive the reading, accept the communication and place it on file

- 2.06. COMMUNICATION: Renee Warren, Administrative Secretary, Department of Liquor Control, Education, Licensing & Enforcement Division, re: Violation of General Regulation #17, \$1000 fine paid, Nectar's, December 3, 2010

*waive the reading, accept the communication and place it on file

- 2.07. COMMUNICATION: Renee Warren, Administrative Secretary, Department of Liquor Control, Education, Licensing & Enforcement Division, re: Violation of General Regulation #13, \$250 fine paid, Simon's Store Battery Park, January 11, 2011

*waive the reading, accept the communication and place it on file

- 2.08. COMMUNICATION: Renee Warren, Administrative Secretary, Department of Liquor Control, Education, Licensing & Enforcement Division, re: Violation of General Regulation #17, \$500 fine paid, Pearl Street Beverage, January 5, 2011

*waive the reading, accept the communication and place it on file

3. FIRST CLASS RESTAURANT LIQUOR LICENSE APPLICATION (2010-2011):

Succulent Bird Inc., d/b/a North End Rotisserie, 147 North Winooski Avenue*

Motion was made by Commissioner Berezniak, seconded by Commisisoner Dober to approve the First class Restaurant Liquor License Application.

Open for Discussion: Brett Frazer, Owner is present. Lori indicated that Mr. Frazer needs to do an Enforcement Seminar by Wednesday of next week (2/2/11). Commissioner Dober indicated if this is not completed by then, this will again be tabled to the next LC Meeting pending DLC certification. Once completed, it will then be taken to City Council. Lori indicated that the next regular City Council meeting is on February 7, 2011. Lori noted that the state will not give a license without taking the seminar. Lori has been in contact with the Fire Marshal and he stated he still needs to do an inspection. This is standard. License is contingent of Enforcement Seminar and Fire Marshal inspection. Table to next LC Meeting on 2/2/11.

Vote: All in favor.

4. SECOND CLASS STORE LIQUOR LICENSE APPLICATION (2010-2011):

Thai Phat Oriental Market, 100 North Street*

Motion was made by Commissioner Berezniak, seconded by Commissioner Dober to approve the Second Class Store Liquor License Application.

Open for Discussion: John Nguyen, Owner is present. Commissioner Dober commented on the application and stated he was expecting more – some paperwork was missing. Lori sent the bookkeeper (Morton Bostic) paperwork that Mr. Nguyen needs to complete. Lori suggested that Mr. Nguyen complete the paperwork and get this back to her as soon as he can. Lori also told Mr. Nguyen that he will need to take the Enforcement Seminar before a license is issued. Store hours are from 9:00 a.m. until 9:00 p.m. Sundays are 10:00 a.m. until 8:00 p.m. Lori took Mr. Nguyen's email address and will follow up by sending him the missing paperwork along with a copy of the schedule for Enforcement Seminars. Table to next LC Meeting on 2/2/11.

Vote: All in favor.

5. OTHER BUSINESS – No other business.

6. ADJOURNMENT – Commissioner Berezniak made a motion to adjourn the meeting seconded by Commissioner Dober at 5:18 p.m.

MINUTES
CITY COUNCIL LICENSE COMMITTEE
WEDNESDAY, JANUARY 26, 2011 – 5:20 p.m.

PRESENT: See above.

ABSENT: See above.

1. AGENDA

Motion: A motion was made by Councilor Berezniak, seconded by Councilor Dober adopting the Agenda as written.

Vote: All in favor.

2. CONSENT AGENDA

Motion: Motion was made by Councilor Berezniak, seconded by Councilor Dober – the Consent Agenda was adopted thus taking the following actions as indicated.

Vote: All in favor.

2.01. COMMUNICATION: William J. Goggins, Director, Education, Licensing & Enforcement, State of Vermont, Department of Liquor Control, re: Rescinding of Administrative Notice Ticket No. 00091 for violation of Education Regulation Number 3(d), January 5, 2011, Champlain Farms, 315 Shelburne Road

*waive the reading, accept the communication and place it on file

2.02. COMMUNICATION: William J. Goggins, Chief, Education, Enforcement & Licensing, State of Vermont, Department of Liquor Control, re: Underage sale of a Tobacco Product, January 3, 2011, Rite Aid #4272, 1024 North Avenue, **(1st violation)**, mandatory DLC training required within 60 days

*waive the reading, accept the communication and place it on file

2.03. COMMUNICATION: William J. Goggins, Chief, Education, Enforcement & Licensing, State of Vermont, Department of Liquor Control, re: Successful Underage Tobacco Purchase Compliance Check, Waggy's Store & Deli, 98 ½ North Avenue, Suite 2, January 3, 2011

*waive the reading, accept the communication and place it on file

2.04. COMMUNICATION: William J. Goggins, Chief, Education, Enforcement & Licensing, State of Vermont, Department of Liquor Control, re: Successful Underage Tobacco Purchase Compliance Check, Merola's Market, 1563 North Avenue, January 3, 2011

*waive the reading, accept the communication and place it on file

- 2.05. COMMUNICATION: William J. Goggins, Chief, Education, Enforcement & Licensing, State of Vermont, Department of Liquor Control, re: Successful Underage Tobacco Purchase Compliance Check, Hannaford Food & Drug, 1099 North Avenue, January 3, 2011

*waive the reading, accept the communication and place it on file

- 2.06. COMMUNICATION: William J. Goggins, Chief, Education, Enforcement & Licensing, State of Vermont, Department of Liquor Control, re: Successful Underage Tobacco Purchase Compliance Check, Champlain Farms, 328 North Avenue, January 3, 2011

*waive the reading, accept the communication and place it on file

- 2.07. COMMUNICATION: William J. Goggins, Chief, Education, Enforcement & Licensing, State of Vermont, Department of Liquor Control, re: Successful Underage Tobacco Purchase Compliance Check, Phuong's Kitchen, 1130 North Avenue, January 3, 2011

*waive the reading, accept the communication and place it on file

- 2.08. COMMUNICATION: William J. Goggins, Chief, Education, Enforcement & Licensing, State of Vermont, Department of Liquor Control, re: Successful Underage Tobacco Purchase Compliance Check, Mobil Short Stop North Avenue, January 3, 2011

*waive the reading, accept the communication and place it on file

- 2.09. COMMUNICATION: William J. Goggins, Chief, Education, Enforcement & Licensing, State of Vermont, Department of Liquor Control, re: Successful Underage Tobacco Purchase Compliance Check, Bessery's Quality Market, January 3, 2011

*waive the reading, accept the communication and place it on file

- 2.10. COMMUNICATION: Renee Warren, Administrative Secretary, Department of Liquor Control, Education, Licensing & Enforcement Division, re: Violation of Education Regulation #3(d), \$100 fine paid, Cumberland Farms #8018, 661 Pine Street, January 10, 2011

*waive the reading, accept the communication and place it on file

3. TOBACCO LICENSE APPLICATION (2010-2011):

Thai Phat Oriental Market, 100 North Street**

Motion was made by Councilor Berezniak, seconded by Councilor Dober to table to the next City Council LC meeting on 2/2/11.

Vote: All in favor.

4. OTHER BUSINESS – no other business

5. ADJOURNMENT – Councilor Berezniak, seconded by Councilor Dober to adjourn the meeting at 5:23 p.m.

